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LETTER DATED 25 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On the night of 20 May, the residence of the Indian Ambassador in Belgrade was damaged in one of the many "surgical strikes" carried out round the clock by the North Atlantic Treaty Organization (NATO)on the Federal Republic of Yugoslavia. It was entirely a matter of good luck that there was no loss of life. It is unacceptable that diplomatic property and lives should continue to be put at risk in a war whose targets are increasingly indiscriminate and which is carried out without the authority of the Security Council.

The fact remains that NATO's bombing of the Federal Republic of Yugoslavia, for quite some time now not limited to military targets, violates the Charter of the United Nations. It has also made infinitely worse the plight of the residents of Kosovo, on whose behalf it decided to bomb other Yugoslavs. It has devastated the lives and the means of livelihood of the entire population of the country. It has already added lives in a diplomatic mission to the number, as yet not tallied, of innocent Yugoslavs who have been killed in the air raids, and if the bombing continues, these tragedies will multiply.

We believe that there can be no military solution to this problem. We once again urge NATO to immediately end its bombing, and turn to a peaceful, negotiated settlement which respects the sovereignty, unity and territorial integrity of the Federal Republic of Yugoslavia, and guarantees peace and security for all its citizens.

We have lodged a protest with NATO in Brussels, and our official spokesman has issued a statement in New Delhi, which I attach.

I request the present letter and its annex by circulated as a document of the Security Council.

(Signed) Kamalesh SHARMA

Annex

Statement made by the official spokesman of the Government of India at New Delhi on 22 May 1999

The Government of India is gravely concerned over the incident that took place at around 2020 hours in the night of 20 May 1999, involving damage to the residence of Ambassador of India in Belgrade, as an immediate and direct result of aerial bombing by NATO forces against targets close to the Ambassador's residence. We have conveyed our serious concern to the NATO Headquarters in Brussels, in a strong protest lodged with them. We expect an appropriate response from NATO.

2. India's position on the continuing hostilities is well known and has been made clear through its statements of 24 March, 25 March and 11 May 1999. The continuing NATO action against the Federal Republic of Yugoslavia is ultra vires of the Charter of the United Nations and contrary to international law. We would like to recall that the recurrence of seriously untoward incidents confirm once again that there is something fundamentally wrong in NATO's approach to the situation in the Federal Republic of Yugoslavia. In keeping with the sentiment of a large part of the international community, we would once again reiterate the imperative need for an immediate end to NATO's military operations and a dialogue between the parties involved towards a negotiated political solution to the conflict.

3. This incident comes in the wake of similar incidents involving physical and material damage affecting the embassies of other countries in Belgrade. It is particularly alarming that this has happened despite the addresses of the Chancery and residential premises of the Indian Embassy having been provided to the United States Government on the request of the latter, soon after the bombing of the Chinese Embassy in Belgrade. There is naturally an apprehension that NATO's continued aerial bombing of Belgrade could lead to further incidents of this nature which might be even more serious. The Government's consistent view is that any damage to diplomatic premises or personnel through such occurrences, intended or otherwise, has to be firmly condemned.

4. The Government is in close and constant touch with our Embassy in Belgrade. All the personnel in the Mission are safe and the Embassy is carrying out its functions. The Government has taken all action necessary to ensure the safety and welfare of the Embassy personnel and their families. In this connection, a senior official of the Ministry of External Affairs visited Belgrade from 17 to 19 May and met the officials of the Embassy and their families to enquire about their welfare, as well as to update the steps required for their safety and for the proper functioning of the Embassy and the security of the premises.